

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

**RELDA ANN MOSS,**

**Plaintiff,**

**-v-**

**FAIRBORN CITY SCHOOLS,**

**Defendant.**

**Case No. C-3:08-cv-393**

**Judge Thomas M. Rose  
Magistrate Judge Sharon L. Ovington**

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**ENTRY AND ORDER ADOPTING THE MAGISTRATE JUDGE'S  
REPORT AND RECOMMENDATIONS (Doc. #140); OVERRULING  
MOSS'S OBJECTIONS TO THE REPORT AND RECOMMENDATIONS  
(Doc. #141); ENTERING JUDGMENT IN FAVOR OF THE FAIRBORN  
CITY SCHOOL DISTRICT BOARD OF EDUCATION AND AGAINST  
RELDA ANN MOSS IN THE AMOUNT OF \$2,810.75 AND  
TERMINATING THIS CASE**

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This matter comes before the Court pursuant to Magistrate Judge Sharon L. Ovington's Report and Recommendations regarding the Fairborn City School District Board of Education's ("Defendant's") expenses caused by Plaintiff Relda Ann Moss's ("Moss's") failure to submit to deposition. The Report and Recommendations recommends that judgment be entered in favor of the Fairborn City School District Board of Education and against Relda Ann Moss in the amount of \$2,810.47 as a sanction for failure to submit to deposition.

Moss has filed Objections to the Report and Recommendations (doc. #141) and the Defendant has responded to Moss's Objections (doc. #142). This matter is, therefore, ripe for decision.

As required by 28 U.S.C. §636(b) and Federal Rules of Civil Procedure Rule 72(b), the District Judge has made a de novo review of the record in this case. Upon said review, the Court

adopts the Magistrate Judge's Report and Recommendations with the exception that the amount awarded is \$2,810.75.<sup>1</sup> Moss has failed to submit to a Court-ordered deposition and the Defendant is entitled to its expenses caused by Moss's failure to submit to the deposition.

Therefore, Defendant's Motion for reasonable expenses (doc. #111) is GRANTED. Judgment is hereby entered in favor of Fairborn City School District Board of Education and against Relda Ann Moss in the amount of \$2,810.75. Further, Moss's Objections to the Report and Recommendation are OVERRULED.

The captioned cause is hereby ordered terminated on the docket records of the United States District Court for the Southern District of Ohio, Western Division at Dayton.

**DONE** and **ORDERED** in Dayton, Ohio, this Twenty-Third Day of August, 2010.

**s/Thomas M. Rose**

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THOMAS M. ROSE  
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record  
Relda Ann Moss at her last address of record

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<sup>1</sup>The Report and Recommendations has a typographical error in that the amount asked for and the amount that should be awarded is \$2810.75. Further this difference is not relevant to Moss's Objections.